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HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3379 of 2007

PETITIONERS : 1. Ku. Suchita Khalkho, aged about 37 years, (After marriage Smt. Suchita Minj) D/o Karnelius Khalkho, Assistant Teacher, Government Triba Boys Midle School, Farsabahar, Vikas Khand – Farsabahar, Distt. Jashpur, (C.G.) (Name appears at sl. No. 15 in appointment order dated 30.11.1994)

2. Ilisba Ekka (After marriage Smt. Ilisba Kujur) wife of Shri Romanus Kujur, aged about 38 years, Assistant Teacher, Government Tribal Girls Primary School – Bartoli, Vikas Khand Farsabahar, District Jashpur (C.G.) (Name appears at sl. No. 31 in appointment order dt. 30.11.1994)
3. Ganesh Ram Yadav, son of Shri Meghnath Ram Yadav, aged about 38 years, Assistant Teacher, Tribal Primary School – Golidih, Vikas Khand Farsabahar, Distt. Jashpur (C.G.) (Name appears at sl. No. 33 in appointment order dt. 30.11.1994)
4. Smt. Shanti Hansra, aged about 47 years, wife of Shri Johan Hansra, Assistant Teacher – Government Tribal Primary School – Uparkachhar, Vikas Khand Farsabahar, Distt. Jashpur (C.G.) (Name appears at sl. No. 74 in appointment order dt. 30.11.1994)
5. Udit Ram Chauhan, aged about 38 years, son of Mansevak Ram Chauhan, Assistant Teacher, Tribal Girls Primary School – Sakara, Tahsil Farsabahar Distt. Jashpur (C.G.) (Name appears at sl. No. 78 in appointment order dt. 30.11.1994)
6. Ku. Tarsisiya Minj (After marriage Tarisisiya Tirky) wife of Prafull Tirky, aged about 37 years, Assistant Teacher, Tribal Girls Primary School – (Putrishala) – Tapara, Vikas Khand Farsabahar, Distt. Jashpur (C.G.) (Name appears at sl. No. 87 in appointment order dt. 30.11.1994)
7. Laxman Kumar Sharma, aged about 38 years, son of Rampravesh Kumar Sharma, Assistant Teacher, Government Primary School, Purani Basti Patthalgaon, Distt. Jashpur (C.G.) (Name appears at sl. No. 110 in appointment order dt. 30.11.1994)
8. Ganesh Kumar Mandal, aged about 42 years, son of Shri Rashik Mandal, Assistant Teacher, Government Tribal Girls Primary School – Baluabahar, Vikas Khand Farsabahar, Distt. Jashpur (C.G.) (Name appears at sl. No. 118 in appointment order dt. 30.11.1994)
9. Kumari Mariyum Kindo (After marriage – Smt. Mariyum Toppo) Wife ofAlexius Toppo, aged about 37 years, Assistant Teacher, Government – Girls

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Tribal School – Bootkachhar, Vikas Khand Farsabahar, Distt. Jashpur (C.G.) (Name appears at sl. No. 120 in appointment order dt. 30.11.1994)

10. Smt. Neel Kusum Toppo, D/o. Shri Antonis Toppo, aged about 41 years, Assistant Teacher, Government Girls Tribal Primary School – Joranda Jhariya, Vikas Khand Farsabahar, Distt. Jashpur (C.G.) (Name appears at sl. No. 124 in appointment order dt. 30.11.1994)
11. Kumari Ursela Ekka (After marriage Ursela Toppo) Wife of Shri Athnas Toppo, aged about 38 years, Assistant Teacher, Government Primary School Purani Basti – Patthalgaon, Distt. Jashpur (C.G.) (Name appears at sl. No. 133 in appointment order dt. 30.11.1994)
12. Romanus Kujur, son of Shri Albins Kujur, aged about 37 years, Assistant Teacher, Government Girls Primary School – Jam-munda, Vikas Khand Farsabahar, Distt. Jashpur (C.G.) (Name appears at sl. No. 139 in appointment order dt. 30.11.1994)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, through – Secretary, Department of Tribal Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. The Assistant Commissioner, Deptt. Of Tribal Welfare, District Jashpur (CG)
3. Block Education Officer – Block – Farsabahar, Distt. Jashpur (C.G.)
4. Block Education Officer – Block – Patthalgaon, Distt. Jashpur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri A.N.Bhakta, Advocate for the petitioners.
Shri Arvind Dubey, Panel Lawyer for the State/respondents.

ORDER

(Passed on 20th day of June, 2007)

1. The question of law involved herein is asto whether the petitioners are entitled to regular pay scale w.e.f the date of initial appointment or from the date of completion of probation period.

2. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are the same as to that of in W.P. No.

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5473/2006 **(Rakesh Kumar Sharma & another Vs. State of Chhattisgarh & Others)**, which was allowed vide order dated 09.10.2006.

3. In view of the above-stated submissions made by learned counsel for the parties, the writ petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Amit